



**REGULAR MEETING
MINUTES
for
Wednesday, May 25, 2005
4:00 P.M. – Council Chamber Boardroom
and
5:30 P.M. - Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 P.M.

Roll Call

Brewer	Davidson	Garcia	Gardner	Ward	Pearcy	Corral	Castro	Quinto
✓	✓	✓	✓	✓	✓	✓	Late	✓

✓ = Present A = Absent

Public Comment

There were no public comments.

Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:12 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

<u>CPRC CASE NO.</u>		<u>IA CASE NO.</u>	<u>CPRC CASE NO.</u>		<u>IA CASE NO.</u>
1)	04-038	PC-04-154-139	8)	05-013	PC-05-035-022
2)	04-079	PC-05-045-254	9)	05-015	PC-05-042-170
3)	04-085	PC-04-337-155	10)	05-016	PC-05-046-239
4)	04-090	PC-05-045-253	11)	05-022	PC-05-068-071
5)	05-004	PC-05-013-094	12)	05-027	PC-05-075-109
6)	05-006	PC-05-019-186	13)	05-028	PC-05-077-096
7)	05-009	PC-05-032-204	14)	05-030	PC-05-083-197

The Commission recessed at 5:26 P.M. to reconvene in the Council Chambers.

OPEN SESSION – 5:30 P.M.

**The following proceedings have been digitally recorded.
For copies, please call the CPRC office at (951) 826-5509.**

Chairman Gardner led in the Pledge of Allegiance. Chairman Gardner asked Ms. Sherron to confirm commissioner attendance.

Brewer	Davidson	Garcia	Gardner	Ward	Pearcy	Corral	Castro	Quinto
✓	✓	✓	✓	✓	✓	✓	✓	✓

✓ = Present A = Absent

Approval of Minutes

Commissioner Ward said he didn't recall the discussion of the Stokes OID case occurring as stated in the draft of the April Regular Meeting minutes. Staff was instructed to review the April Regular Meeting recording for the Stokes Case agenda item to verify the nature of the discussion and amend, if necessary, that portion of the April minutes.

The April Regular Meeting minutes draft stated on Page 05-37:

Chairman Gardner noted that the draft memo discussed at the March 23 meeting contained some incorrect information. The draft memo had been revised and was back before the Commission for approval. After brief discussion, it was agreed that the Chair would draft a revision to the March 23 draft memo for discussion and approval on May 25.

The minutes, as amended and approved, read:

Chairman Gardner noted that the draft memo discussed at the March 23 meeting contained some incorrect information. Because of this, he and the Executive Director had revised the March 23 draft, eliminating that information, to become the April 1 draft.

It was noted during Commission discussion that some of the items that had been in the March 23 draft had been removed from the April 1 revision and that they should not have been removed. Chairman Gardner said that he would work on a revision, using the March 23 draft, and that the revised draft would come back to the Commission for a roundtable discussion on May 25.

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
April Regular Meeting (as amended)	Ward	Brewer	9	0	0
May Case Review	Corral	Garcia	9	0	0

Officer Selection

Commissioner Brian Percy was elected as the Commission's Vice-Chair, filling the vacancy left by Commissioner Huerta's resignation in April.

Executive Director's Report & Comments

Executive Director Payne reported to and advised the Commission:

- of the Riverside Report and the information it contained about the CPRC & HRC;
- of the June 2 celebration of the CPRC's 5th Anniversary sponsored by the Riverside Coalition for Police Accountability;
- of the need for volunteers to staff the booth at the Riverside Neighborhood Conference on July 9.

Commissioner Comments

Commissioner Ward spoke about an article in the Black Voice News regarding Mr. Daxius Gregory, a citizen who had filed a complaint. He said the article raised two issues with him: 1) the confidentiality of information from the Commission's closed sessions, and 2) that the findings of the City Manager as noted in the article were different than those of the Commission. He asked if 1) are the findings privileged information, and 2) are the findings contained in the City Manager's letters those of the Commission or the City Managers? He said he was concerned because the article indicated that Mr. Gregory had come before the Commission with his case and the article make it seem like the findings of the City Manager were those of the Commission. He also asked whose findings are reported in the CPRC Annual Report.

Chairman Gardner responded, saying that the City's findings are what is reported, in a letter, to the complainant and the subject officer. He said that the letter from the City Manager belongs to the recipient and it is the recipient's choice as to whether or not to share the contents of the letter with the press. Both the RPD's and the CPRC's recommended findings go to the City Manager's Office for review to make the official finding. The City Manager's findings may or may not be the same as the Commission's. He also said that the findings contained in the Annual Report are those of the Commission's, not the City Manager's.

Commissioner Brewer said he was concerned about how meetings are determined as Outreach for the monthly report. Executive Director Payne said he would take direction from the Commission regarding the reporting of those meetings.

Chairman Gardner introduced Commissioner Rick Castro, Ward 6.

Commissioner Garcia said he enjoyed the May 11 training session, which took place at the RPD Aviation Center.

Commissioner Percy said he had documents from another agency regarding the framing of allegations. He asked Staff to make copies for all commissioners. Chairman Gardner said he felt it would be a good resource tool for the Executive Director, but for any other purposes, it should go to the Policy & Procedure Committee first.

Public Comments

Ms. Mary Shelton spoke regarding the amount of time it takes for a filed complaint to be received by the CPRC as noted Commission's monthly report. Ms. Shelton also spoke about the RPD Policy & Procedure 4.60, the Recording Policy.

Mr. Ralph Avila spoke about the complaint he filed through the CPRC. He said he was contacted by RPD before 7 AM regarding the complaint. He said he described the incident to the investigator and said he answered all the investigator's questions. Mr. Avila said he wanted to contribute to the report and wanted to know what the witnesses had to say. He said he is very disappointed with the process by which investigations are conducted.

Committee Reports

A) Outreach Committee – Brian Percy, Chair

Commissioner Percy reported on

- The Riverside Neighborhood Conference:
 - almost everyone has signed up to help;
 - CPRC will also be presenters at the conference;
 - Commissioners Davidson and Quinto will be presenters;
 - time of presentation will be 10:40 – 12:00
- Outreach Opportunities:
 - Will soon have about seven (7) more outreach opportunities;
 - opportunities are for entire commission, not just Outreach Committee members;
 - will be scheduling additional outreach opportunities at RPD facilities;
 - wants to arrange the trips for days when standing CPRC meetings are held;
- Training:
 - excellent training at Aviation Center.

Commissioner Corral noted that she is available in the evenings.

Executive Director Payne informed the Commission that the bulk of future annual reports will be on CD.

B) Budget Committee – Bob Garcia, Chair

Commissioner Garcia reported on

- Funding Sources:
 - will look at budget for '05-'06 rather than looking elsewhere;
- Expenses:
 - two commissioners attended the Law Enforcement Appreciation Dinner;
- Purchase of Shirts:
 - purchase of shirts with the CPRC Logo to be funded by Commissioner Davidson;
- NACOLE 2005
 - attendees would be:
 - Executive Director Payne
 - Chairman Gardner
 - Commissioner Corral
 - Commissioner Castro

Chairman Gardner suggested that a decision on how many and who to send to NACOLE 2005 should be tabled until the '05-'06 budget is approved.

Commissioner Garcia asked that NACOLE '05 be put back on the agenda after the '05-'06 budget is approved Council.

Executive Director Payne suggested that because this issue was the same as that of Item 10, that Item 10 be tabled until after approval of the '05-'06 budget.

C) Policy & Procedure Review Committee - Jack Brewer, Chair

Commissioner Brewer reported on

- the RPD policy regarding property held by RPD;
 - Commissioner Garcia will draft a memo to RPD;
- review of CPRC recommendation to RPD Policy 4.29;
- amending CPRC policy and procedures regarding the meetings held on the 2nd Wednesdays.

NACOLE 2005

This item was held for future discussion pending Council approval of the FY 05-06 budget.

RPD Policy Recommendation

The Commission discussed and voted to forward to RPD a recommendation that RPD Policy and Procedure Section 4.39 should be redrafted to give officers the flexibility to contact the complaining party or not, as circumstances dictate.

Action	Motion	Second	Approve	Oppose	Abstain
That the Commission accept and forward to RPD the recommendation to RPD Policy 4.39, as drafted	Brewer	Garcia	9	0	0

Volne Stokes Officer-Involved Death Case

At 6:34, the Commission adjourned to the Council Chamber Boardroom for roundtable discussion and editing of the Volne Stokes Public Memorandum.

The Commission discussed and edited the revised draft. The Commission approved the changes. Staff was asked to verify language from RPD's Policy and Procedure Manual and Ordinance No. 6516 and forward the final draft to all commissioners for approval.

Ms. Mary Shelton commented on the drafting of the memo, the RPOA, and Officer Banfill not being interviewed.

Adjournment

The Commission adjourned at 7:45 p.m.

Respectfully submitted,

PHOEBE SHERRON
Sr. Office Specialist